



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### PIEDMONT REGIONAL OFFICE

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February 19, 2016

Scott Thornton, Project Coordinator  
201 James Avenue, P.O. Box 3401  
Colonial Heights, VA 23834

Transmitted electronically: [thorntona@colonialheightsva.gov](mailto:thorntona@colonialheightsva.gov)

**RE: Virginia Pollutant Discharge Elimination System (VPDES) MS4 Permit #VAR040009,  
Colonial Heights, Local TMDL Action Plan Additional Information Letter**

Dear Mr. Thornton:

The Virginia Department of Environmental Quality (DEQ) has reviewed the Local TMDL Action Plan received on 11/30/2015 and submitted in accordance with Section I.B of the General VPDES Permit for Discharges of Stormwater from Small Municipal Separate Storm Sewer Systems (MS4).

This letter is to advise you that your Local TMDL Action Plan is considered incomplete. We cannot process your action plan until you provide the following information:

- Per **Section I.B.2.a** (Develop and maintain a list of legal authorities):

The TMDL Action Plan lists various programs and ordinances applicable to reducing bacteria. However, please note that Section I.B.2.a of the permit also includes specific contractual language in the definition of legal authorities. As such, please include a statement in the TMDL Action Plan if specific contractual language is used by the City to ensure that contractors comply with the City's MS4 Permit.

- Per **Section I.B.2.b** (Identify and maintain an updated list of additional management practices):

The TMDL Action Plan states in Part 3.2.2 that the City's sewer collection system flows to the Appomattox Regional Water Authority's treatment facility in Petersburg. However, DEQ is not aware of a treatment facility by that name in Petersburg. The South Central Wastewater Authority does operate a centralized wastewater treatment facility in Petersburg. Please clarify the name of the facility that receives the sewer collection system flows. Furthermore, Part 4.2.2 of the Action Plan references sanitary sewer system improvements that are budgeted for the Hopewell Regional Water Treatment Facility's collection area. Please clarify how these budgeted improvements apply to the City of Colonial Heights.

The Action Plan states in Part 4.2.3 that the City *may* consider a formalized septic system pump-out program during the permit cycle. DEQ would prefer stronger language indicating a commitment to the consideration of a pump-out program.

- Per **Section I.B.2.e** (Methods to assess TMDL Action Plan effectiveness):

It is agreed that the Annual Reports are an appropriate vehicle for communicating the evaluations of effectiveness of each POC-specific BMP, the assessment of significant source facilities (as identified in Part 3.2.4 of the Action Plan), and the overall effectiveness of the Local TMDL Action Plan per section I.B.5.b of the permit.

However, Section I.B.2.e of the permit states "... The methodology used for assessment shall be described in the TMDL Action Plan." As such, we ask that you incorporate the methodologies for assessing the aforementioned items within the body of the Local TMDL Action Plan itself in order for it to function as a standalone document. You may consider doing so by including a table summarizing the measure of effectiveness for each POC-specific BMP described in the Action Plan. Please note that the measure of the effectiveness of any outreach or training activities should gauge the target audience's understanding of the materials (e.g. post-training quizzes, public surveys, etc.).

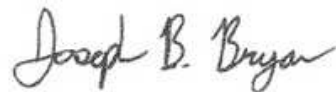
Please complete the requested actions and resubmit the TMDL Action Plan (or an addendum) no later than 03/04/2016.

**This letter is intended to provide information on what information DEQ believes is needed in order to fully evaluate your Local TMDL Action Plan submittal(s) and is not a final determination or case decision under the Administrative Process Act.** If you would like to discuss the information contained in this letter, please contact me at (804) 527-5012. In the event that discussions with staff do not lead to a satisfactory resolution of the contents of this letter, you may elect to participate in DEQ's Process for Early Dispute Resolution. For information on the Process for Early Dispute Resolution, please visit the enforcement manual DEQ website at:

<http://www.deq.virginia.gov/Programs/Enforcement/LawsRegulationsGuidance.aspx>

Please contact me at (804) 527-5012 or at [Joseph.Bryan@deq.virginia.gov](mailto:Joseph.Bryan@deq.virginia.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Joseph B. Bryan". The signature is written in a cursive, flowing style.

Joseph B. Bryan  
VPDES Permit Writer

Copies: File